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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/214,840	01/13/1999	KLAUS-DIETER HAMMER	051009/0114	8132	
7:	590 04/07/2003				
FOLEY & LA			EXAMINER		
PO BOX 25696			HON, SO	HON, SOW FUN	
WASHINGTO	N, DC 200078696		ART UNIT	PAPER NUMBER	
			1772		
			DATE MAILED: 04/07/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action The REPLY FILED 19 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE Therefore, further action by the applicant is required to avoid abandomment of this application. A proper reply to a final rejection under 37 CFR 1.13 may only be either; (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal feet); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.134. ERRICOT FOR REPLY (check either a) or bi) The period for reply expires 4-months from the mailing date of the final rejection. The period for reply expires 4-months from the mailing date of the final rejection. Only CHECK THIS GOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 705.077. ONLY CHECK THIS GOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 705.070. The period for reply expires 4-months from the date on which the petition under 37 CFR 1.138(a) and the appropriate extension of the may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension of the may be obtained as the date to purposes of determining the period of certains and the corresponding amount of the See. The septiment flow of the service of the seed of the final rejection which the petition under 37 CFR 1.138(a) and the appropriate extension of the major and the corresponding amount of the See. The 1.136 CFR 1.138(a) and the appropriate extension and the corresponding amount of the See. The 1.136 CFR 1.138(a) and the see final rejection and the corresponding amount of the See. The see final rejection and the seed of the final rejection and the seed of the final rejection a				
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Application/Control Number: 09/214,840

Art Unit: 1772

Attachment to Advisory Action

1. The proposed amendment will not be entered because they present an additional claim without canceling a corresponding number of finally rejected claims.

- 2. Applicant's arguments with respect to the valid use of Hammer et al. are addressed below.
- 3. Applicant argues that the treatment with cellulase by Hammer et al. is nothing more than a test method used to measure the efficiency/effectiveness of the chitosan impregnation of the casing, that the cellulases are not deactivated and the casing is severely damaged or even destroyed.

Applicant is respectfully reminded that the "test method" is a process step which reads on the first process step recited in claim 1. Applicant is also respectfully reminded that Hammer et al. teaches that the casing is made to "impede or possibly prevent the penetration of cellulytic enzymes such as cellulase", yet "easy peeling of the casing after (mold) maturation is still ensured" ('179, column 1, lines 40-55). This implies that there is at least one cellulase or possibly none which penetrated the casing, but definitely more than one cellulase on the outer surface of the casing. The time the cellulases on the outer surface are allowed to act on the casing depends on when the encased sausage is cooked, whereupon the cellulases are permanently deactivated.

Applicant is respectfully reminded that claims 2, 4, 5, 14-20 are presently objected to but will be allowed if rewritten in the independent form to contain the limitations of the independent claim. The process steps in said claims are further defined in order to distinguish over the prior art. In addition, in claim 20: line 6 should be rewritten as "wherein said allowing at least one

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cellulase to act on the surface of the tubular foodstuff casings based on cellulose hydrate

comprises allowing said cellulase to act on the".

4. Applicant's main arguments against Hammer et al. appear to focus on the time-limited

surface roughening by the cellulase prior to the permanent deactivation of the cellulase on the

surface of the casing, which would give a different surface roughened profile than that of the

natural process of cellulase acting during the manufacture and storage of the sausage casings

before cooking, or the deliberate damaging of the casings for recycling. Applicant is advised to

define the time limit such as the one described in claim 4, in order to distinguish the finished

product casing over the presently existing prior art.

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose

telephone number is (703)308-3265. The examiner can normally be reached Monday to Friday

from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Harold Pyon, can be reached on (703)308-4251. The fax phone number for the

organization where this application or proceeding is assigned is (703)872-9311.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)308-0661.

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